

COUNCIL PROCEEDINGS

MARCH 11, 1999

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, March 11, 1999
Tuesday, 6:00 P.M.

The City Council met in special session with Mayor Knight in the Chair. Council Members Cole, Ferris, Gale, Kamen, Lambke, Rogers; present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

NORTHWEST SEWER PLANT PUBLIC HEARING - CONSIDERATION OF POSSIBLE SITES FOR THE NORTHWEST SEWER PLANT.

David Warren

Director of Water and Sewer reviewed the Item.

Agenda Report No. 99-209.

Northwest Wichita, along with northeastern areas within the City, have experienced significant growth and development. This growth is expected to continue. According to development trends, Wichita's west growth area is projected to experience a population increase of over 35,000 during the 30-year period. Growth is primarily occurring in the far west area - - located approximately 12 to 14 miles from the City's existing wastewater treatment plants. Due to the magnitude of new development, the Water and Sewer Department has informed developers that new sewer extensions to serve future development will be limited due to capacity issues. Absent municipal water and sewer services, there is a concern that uncontrolled development may occur and result in the utilization of local treatment options, such as package treatment plants, septic tanks and lagoons. Due to the growth that has already taken place and/or planned, wastewater facilities in the area are becoming overloaded, creating an environment and concern where, without added facilities, sewer back-ups and spills could occur.

The planned updating of the City's Sewer Master Plan was originally scheduled to be completed in 2001; however, because of the current and planned growth in the far west part of the City, it was determined that Staff should proceed with a component of that plan for service to northwest Wichita and not wait for the completion of a City-wide plan to be completed. Based upon the demands of current and planned future growth and development, the limited capacity of the sanitary sewer system, and the proposed local treatment options being considered by developers, the City Council authorized (March 4, 1997) retaining the services of a national engineering firm to assist staff with developing a plan to meet current and projected sewer system needs in the western part of the City. The consulting firm of Brown & Caldwell, with expertise in sanitary sewer systems, was retained to work with the local engineering firm, Professional Engineering Consultants (PEC), to assist in development of the Northwest Sewer Master Plan.

In 1998, the Northwest Sewer Master Plan was completed and the recommendations of the consultants were presented to the City Council. Following these presentations, Staff was directed to initiate a public information/education effort to communicate the elements of the proposed Northwest Sewer Master Plan to the community, particularly the residents in the

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western part of the City.

Specific actions were taken to publicize the proposed Plan, including: distribution of informational flyers, conducting a public information fair, development and distribution of an informational video; providing tours of similar area wastewater treatment plants; and production of a televised AAsk City Hall@ segment on the City=s cable channel. Following the series of public information efforts, the City Council held a public hearing on the proposed Northwest Sewer Master Plan. On July 14, 1998, the City Council received comments on the three alternatives presented in the Plan.

On January 19, 1999, following public hearing, the City Council approved Alternative NP-1, which includes construction of a new wastewater treatment plant and other sewage collection system improvements to carry flows to the new facility as well as improvements to the City=s existing Sewage Treatment Plant #2.

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At the January meeting, the City Council instructed staff to work with the City's consultants to evaluate potential sites within the study area, including the Kingsbury, and return to the City Council with treatment plan site selection evaluations, based on specific criteria to be developed, including but not limited to:

- * Distance from residential/developed areas
- * Location near service area, with ability to serve future growth areas in the west side
- * Natural buffered areas or locations that can be buffered
- * Potential for development
- * Flooding mitigation possibilities
- * Permit issues, including environmental, zoning, etc.
- * Construction costs

The City's consultants (Brown & Caldwell and Professional Engineering Consultants), along with designated City staff, worked together to identify and evaluate sites for construction of a wastewater treatment facility. Sites both within and outside the preferred corridor in a six square mile area north of 21st Street North and west of 119th Street West were identified and evaluated.

The methodology for identification and evaluation of sites utilized the above criteria. Each site potential site, and others, were visited in the field by the consultants/staff. In addition, cost differential between NW Sewer Master Plan base site and selected potential sites was examined, along with soils and groundwater data on each of the potential sites. Other information was also considered, including utilities for selected potential sites; impact of highway transportation corridors; NPDES permitting issues; flood mitigation alternatives; accessibility to site(s); ownerships; and other site selection considerations.

The construction of facilities related to the Northwest Sewer Master Plan are estimated to cost approximately \$29 million. This cost would include such major components as the treatment plant, sewer mains, pumping stations and Plant #2 improvements. The cost does not include additional flood mitigation measures that might be constructed at or near the proposed plant site. The improvements are designated as project S-324 in the approved Sewer Utility CIP.

Mike Shomaker

Mike Shomaker, PEC, showed slides and presented each of the potential sites with their individual evaluations.

The final eight potential sights and evaluations:

Site Number Two (2):

Located north of 21st Street North, south of 29th Street North, and between 119th and 135th Streets West.

Additional Costs to Develop Site: \$ - 0 -

Advantages:

- Flow can be conveyed to site by gravity, 30" deep sewer.
- Site is screened by tree line to the north, south, east, and west.
- Limited development potential near site due to floodplain.
- Can service Dry Creek and Cowskin Creek basins by gravity.
- Least cost of all sites.

Disadvantages:

- Several established subdivisions within 2,500 feet of site.
- Deep interceptor construction will be disruptive.

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Groundwater will make deep sanitary sewer construction more difficult.
Floodway boundary severely restricts land use. Must do Hydraulic study to
alter site so Cowskin water level is not affected.

Site Number Five (5):

Additional costs to develop site: \$2,315,700.

Advantages:

- Flow can be conveyed to site by gravity, 30" deep sewer.
- No homes within 1,000 feet of site.
- Three homes and one undeveloped rural subdivision within 2,500 feet.
- Site is screened by tree line to the east, west, and south.
- Limited development potential near site due to floodplain.
- Can service Dry Creek and Cowskin Creek basins by gravity.

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Disadvantages:

- Deep interceptor construction will be disruptive.
- Groundwater will make deep sanitary sewer construction more difficult.
- Floodway boundary limits usable area of site.

Site Number Seven (7):

Additional costs to develop site: \$4,155,380

Advantages:

- 5-6 homes within 2,500 feet of site.
- Site is screened by tree line to the west, north, and south.
- Limited development potential near site due to floodplain.
- Can service north Cowskin Creek basin and some of Dry Creek by gravity.
- No permitting issues.
- Potential access to and screening by K-96 loop.

Disadvantages:

- North of natural collection spot for service area.
- Will require pump station along 21st to convey flow to site.
- Substantial cost added by pump station and force main.
- Floodway boundary limits usable area of site.

Site Number Nine (9):

Additional costs to develop site: \$5,068,655.

Advantages:

- 2 homes within 2,500 feet of site.
- No subdivisions within one mile.
- Site is screened by tree line to the north, south, east, and west.
- Limited development potential near site due to City ownership of land to the north and east.
- No permitting issues.

Disadvantages:

- North and east of natural collection spot for service area.
- Will require pump stations along 21st and long force main to convey flow to site.
- Substantial cost added by pump stations and force main.
- Visible from K-96.
- Must pump all flow from Cowskin and Dry Creek Basins.
- Will need to pump effluent discharge into Arkansas River.
- High Groundwater will increase the cost of plant construction.

Site Number Ten (10):

Additional costs to develop site: \$3,513,075.

Advantages:

- 6-8 homes within 2,500 feet of site.
- Site is screened by tree line to the south, +1/2 mile from road on the east and west, nearly one mile to the north.
- Site could also be used for drainage control improvements along Dry Creek.
- Can service area west of study area by gravity.
- No permitting issues.
- Potential access to and screening by K-96 west loop.

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Disadvantages:

- West of natural collection spot for service area.
- Will require pump station along 21st to convey flow to site.
- Substantial cost added by pump station and force main.
- Site is 35 feet higher than the natural collection spot.

Site Number Eleven (11):

Additional costs to develop site: \$4,579,320.

Advantages:

- 4 homes within 2,500 feet of site.
- Site is screened by tree line to the east, north by K-96, and to the west by 2 mile distance.
- No permitting issues.

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Disadvantages:

North and east of natural collection spot for service area.
Will require two pump stations along 21st to convey flow to site.
Substantial cost added by pump stations and force main.
Limited ability to service NW by gravity.
Higher groundwater will increase cost of plant construction.
May be taking developable land.

Site Number Fourteen (14):

Additional costs to develop site: \$3,813,465.

Advantages:

5-10 homes within 2,500 feet of site.
No potential for residential development.
No permitting issues.
County owned property.

Disadvantages:

East of natural collection spot for service area.
Will require two pump stations along 21st to convey flow to site.
Substantial cost added by pump stations and force main.
Limited ability to service NW by gravity.
Zoo and two major arterial roads within 1,000 feet.
May be taking commercially developable land.
No natural screening; readily visible to commuters and Zoo patrons.
Will need to pump effluent discharge.

Council Member Ferris momentarily absent.

The sites were ranked in recommended order:

<u>Ranking</u>	<u>Site Number</u>	<u>Points</u>
#1	2	89.5
#2	4	Disqualified
#3	7	84.5
#4	5	81.3
#5	10	79.6
#6	9	72.9
#7	11	71.9
#8	14	63.9

Mike Shomaker, responding to a question, said a pump station is an approximate \$1.5 million capital cost. Power, operation, and maintenance are an additional \$740,000 to \$1.3 million. Costs shown on evaluations do not include operation and maintenance.

Mayor Knight

Mayor Knight inquired whether anyone wished to speak.

Bob Schreck

Bob Schreck said the Kingsbury site (Number 9) should be removed from consideration. The site would require the greatest expense, pump stations, and force mains. There is high ground water. Ponds would also need to be constructed above ground.

Bob Bulman

Bob Bulman, 2630 North NorthShore Court, Barefoot Bay Addition, said the Big Slough feeds into the lake in the Barefoot Bay Addition. The lake is approximately 120 acres with a depth of approximately 40 feet in some areas. The Big Slough feeds into this lake and a lake that is being developed to the north of 29th Street (Ridgeport).

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City Staff previously has stated that Basin 4 does not need this improvement. The benefit to Basin 4 does not need to be increased. Staff indicated that the improvement would not be necessary for any future developments in Basin 4.

According to the ranking, sites 9, 11, 14 are at the bottom of the list.

The groundwater on site 11 is within five feet of the surface. Mr. Bulman inquired whether this site would be within the flood plain.

Doratheia Sloan

Doratheia Sloan, 3929 North Athenian, spoke in agreement with Mr. Schreck and said the Kingsbury site should not be considered. The groundwater level could be a problem.

Robert Whetzel

Robert Shetzel, 2401 North 135th West, said the land owners have presented an agreement not to sell, at any cost, property to the City of Wichita.

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Ms. Whetzel said the property at Site 2 is prime land with a number of homes. It is not in a flood plain. The plan is to develop the ground and build a lake on the property.

A road across the land would be required. A bridge over Dry Creek would also be required. The roads would have to be elevated as the township road floods two to three times per year.

There are no trees already tall enough to hide a sewage plant that would have to be constructed on elevated pads.

The City wants to build an industrial project in a residential area. The plant would be of no value to the area.

Ms. Whetzel said the City does not need to build a new sewage plant at all but, if it must, then the recommendation would be for Sites 9 or 14.

Jack VanSkiver

Jack VanSkiver, 2256 North 135th West, said the sites, except for 12 or 14, are all in the flood plain and are not acceptable sewer plant locations.

Mr. VanSkiver referred to a project he was involved in one year ago and said the figures for this Item are not even close to those for the sewer Master Plan.

David Lane

David Lane, land owner of Site 10 property, said the location is up hill from all the sites. Pumping stations would be required. The area south of the creek floods so a massive number of pumping stations would be required.

Mr. Lane asked the Council take into consideration that The farm land on this site is some of the best in the entire region.

Mr. Land urged the Council to put the plant in the right place, not the most politically expedient.

Adaline Albert

Adaline Albert, 3201 North 135th West, owner of Site 2 property, said their family has no intention to sell the property. The intention is to farm the land and pass it on to future generations. Currently, there are three generations and four families living on the farm.

A sewer plant on this property would mean additional water in the Cowskin Creek. The Cowskin water, every year, stands longer and longer.

The sewer plant does not need to be situated on this land and a dairy farm cannot just be picked up and moved.

Ms. Albert recommended Site 9 or 14.

Lee Albert

Lee Albert, intersection of 29th North and 151st West Streets, said their property is Adead center@ of Site 2. Mr. Albert re-emphasized that their land is not for sale.

Mike Kizzire

Mike Kizzire, 401 South 162nd West, said the area does flood and the area is just now being cleaned from the last flood. People in this area are on septic tanks and a sewer plant is not necessary.

Bill Skaer

Bill Skaer, Sedgwick County Zoo Trustee, said the Zoo is a valuable asset. There are possible concerns about Site 14. The Zoo Board is meeting this evening.

Odors are a concern and would be bad for people visiting the Zoo.

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RECESS

The City Council recessed at 7:15 p.m. and reconvened at 7:22 p.m.

LeRoy Keiter

LeRoy Keiter, 2761 North 23rd West, said the City and County already own the property for Sites 9 and 14.

Mr. Keiter inquired regarding annexation of property around the site.

Council Member Ferris

Council Member Ferris said the site would be annexed as an island but could not be used for future annexation cases.

Alan Whetzel

Alan Whetzel, 2401 North 135th West, said his property, the Lucky W Ranch, was either next to or was the property being considered for Site 2.

Mr. Whetzel said he has no intention to sell his property. His family raises outstanding quarter horses and it is his intent to do everything possible to prevent the project from being offensive to the Lucky W Ranch.

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- Michael Hill said Sites 2, 4, and 5 are ill-suited because they are located in the flood plain. Site 4 was under at least 12 feet of water on Halloween, 1998. Site 2 was under 4 feet of water. Site 5 was under 6 feet of water. A dike would be required to protect a sixty-acre site. The water displaced by such a dike (60 square acres ten feet deep) would be devastating down stream.
- Mr. Hill said 135th Street floods after a three-inch rain and the water stands for days.
- Chuck Woodard, owner of the property for site 11, said he is currently negotiating with developers and hopes to continue.
- Mr. Woodard said the water table is very high and the property is in the wrong direction. A pump station would be required.
- Mr. Woodard said 37th Street was completely washed out during the flood between Tyler and Ridge Road.
- Ron Fisher, said he had believed in the sincerity that the City Council was going to try to maintain a 1.5 mile radius from any existing homes or residential additions. Sites 2, 4, and 5 are all close to Cedar Downs Addition in which all residences have septic tanks. A sewer plant is not needed. The Addition is also far short of being 1.5 miles from the proposed plant sites.
- AThis past Fall, there was an informational meeting given at the County Extension Building regarding the proposed locations for the Northwest Expressway. On the chart that was brought, they were showing a small area that had been drawn in and then was erased. When asked what had been erased, the representative for the City said that it was the new sewer plant location and he was informed to erase it before bringing the chart to the Bypass meeting. The erasure just happened to be corresponding with the sites designated as 2, 4, and 5.
- Aln visiting with several people in Cedar Downs, I said, >You know, I just know this is going to end up there, regardless of what we have done for seven or eight months.@
- Al am so convinced that the general area designated by sites 2, 4, and 5 is where the plant will be located and has always been the site regardless of public input. I am so convinced that there is not a chance that the sewer plant will not be built on sites 2, 4, and 5 that myself and two or three of my friends that live in Cedar Downs are prepared that if it does occur on a site, any site, which is 1.5 miles from the existing residential areas we will be so amazed and so delighted by that, that we will donate \$3,000 to the charity of the City Council=s choice.@
- Frank VanRyn, 29th and Ridge, said he had no preference on site location. Mr. VanRyn said the sewage treatment plant would drain into the Big Slough site, a water contact lake. Permitting has been under-estimated for these sites.
- Regarding Kingsbury, Mr. VanRyn said there could be additional costs associated with leachate.
- Mr. VanRyn also suggested the sewage treatment plant property could be used for a park.
- Bill Murray said the City should make a 50-year plan that would make the least amount of people mad.
- Clark Nelson, Attorney representing some of the land owners, asked whether condemnation proceedings may occur and why the Council was proceeding so fast.

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Mr. Nelson also said there should be a new FEMA map soon and the drainage study should be done soon.

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| Heather Blankinship | Heather Blankinship, 3239 North 124th West, said she agreed that any plant should be located 1.5 miles from established areas. The aerial maps show Sites 2, 4 and 5 as being close to established areas. |
| Amy Manning | <p>Amy Manning spoke in favor of the Kingsbury site which is near the Arkansas river and could handle the effluent.</p> <p>Ms. Manning said she hoped the decision would not be contingent on a new City Council being seated within a few months.</p> |
| Mary Kay Rapple | <p>Mary Kay Rapple, St. Marks, said there is no need for a west sewer plant; St. Marks does not have representation on the City Council; and there has been no representation from St. Marks on siting.</p> <p>The plant should be placed on land the City already owns.</p> |
| Vaughn Sink | Vaughn Sink said builders should not be allowed to build in the flood plain. Hopefully, some wisdom will be used on siting a sewage treatment plant. |
| Mr. Hayes | Mr. Hayes, Site 4 land, agreed with his neighbors (Whetzel). Mr. Hays said he cannot sell his home because of the perception that a sewage plant stinks. |
| Dave Faber | <p>Dave Faber, near Site 10, said Dry Creek is dry most of the time. More money would be required to filter better.</p> <p>Dry Creek floods every year and more water will exasperate the problem.</p> <p>Site 10 has most homes within 2,500 feet. Within one-half mile there are three major housing divisions with 60 homes.</p> |
| Council Member Cole | Council Member Cole said the current City Council has spent over one year learning and taking part in the Northwest Sewer project. It is imperative that the same seven people who have spent over one year long studying this matter not put the decision on new City Council members who have not studied this issue for over a year. |
| Dave Warren | <p>Director of Water and Sewer said a facility is in place at Kingsbury to deal with the leachate and there would be no effect on a new facility on that site.</p> <p>The City is currently selling some methane produced at Kingsbury.</p> |
| Council Member Kamen | Council Member Kamen said he hoped there would be an explanation of Alimited development@ when this matter is returned to the City Council. |
| Mike Shomaker | <p>Mike Shomaker said flood mitigation is a part of the solution at some sites.</p> <p>The FEMA Study is progressing and should be presented to the City Council in June.</p> |
| David Warren | Water and Sewer Department said the sites are all vicinities rather than specifics. The sites could be shifted somewhat in location. |
| Council Member Ferris | <p>Council Member Ferris suggested some of the sites be eliminated for the following reasons:</p> <p style="margin-left: 40px;">Site 4 A plant cannot be built on the site.</p> <p style="margin-left: 40px;">Site 11 Ranks so low in comparison to the other sites.</p> |

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Site 14 Ranks so low in comparison to the other sites.

Site 5 Closer to major residential development than Site 2
and ranks low compared to top sites.

Motion --

Ferris moved that sites 10, 2, 7, and 9 be retained for further consideration; the maps on those sites be expanded to give views up to one-half mile in radius from the sites; the other sites be eliminated from consideration; Staff be authorized to spend up to \$2,500 per site in securing options for any sites in the vicinity of any of those sites, with the exception of site 9, which is owned by the City; a public meeting be scheduled at Wilbur Junior High next Thursday evening to further answer questions and discuss the four remaining sites, and allow public input on those sites; this be sent the following week to CPOs and the MAPC; and only this issue be returned to the City Council on March 30th at 6:00 p.m. for site selection, knowing that the Council will have the option to take action or defer action if it were determined there was not enough information to choose a site at that time.

Council Member Cole

Council Member Cole said she was puzzled as to why Site 5 was eliminated and focus was placed on Site 9 (Kingsbury), the most costly site and option requiring two pump stations and pumping all flow from the creeks and the effluent.

Council Member Cole said she was hoping the Kingsbury site would not be one of the sites chosen but she was even more puzzled that Site 5 was being eliminated while Site 9 was retained.

Council Member Ferris:

Council Member Ferris said he believed four sites are appropriate. The difference between Sites 2 and 5, in proximity, is irrelevant but in costs, ranking, proximity to residential development, and those kinds of issues, there is such a clear differential that there is no reason to keep Site 5.

Members of the public have clearly indicated a belief that Site 9 is a viable site. Staff has said it is a viable site and is a site that can work. It is a site that falls within the cost parameters that are anticipated. While it is more expensive,

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Council Member Ferris said he has said, from day one, that cost is not the major issue - it is an issue. When all the issues are weighed, Site 9 still remains a viable, reasonable alternative for future discussion.

Council Member Cole

Council Member Cole stated that she believes there are other important issues which eliminate Site 9 from the kind of possibilities the Council is looking for in other sites and, AMy vote against this motion indicates only that. It does not indicate a lack of support for the other sites that you have suggested.@

-- carried

Motion carried 5 to 2. Cole, Rogers - No.

ADJOURNMENT

The City Council meeting adjourned at 8:40 p.m.

Pat Burnett
City Clerk